

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

LIBERTY HARBOR COFFEE INC., a/k/a,  
BREWSHOT and NYNJ COFFEE2 LLC, a/k/a,  
JERSEY SOCIAL,

Plaintiffs,

-against-

MAGGIE MOSS and MOSS BUSINESS  
CONSULTING LLC,

Defendants.

25-cv-01335 (JLR)


**ORDER**

JENNIFER L. ROCHON, United States District Judge:

The party asserting that there has been a change of domicile “has the burden of proving the ‘required . . . intent to give up the old and take up the new domicile, coupled with an actual acquisition of a residence in the new locality,’ and must prove those facts ‘by clear and convincing evidence.’” *Palazzo ex rel. Delmage v. Corio*, 232 F.3d 38, 42n (2d Cir. 2000) (quoting *Katz v. Goodyear Tire & Rubber Co.*, 737 F.2d 238, 243-44 (2d Cir. 1984)). Defendant Moss shall submit a sworn affidavit, no later than May 13, 2025, certifying the accuracy of the facts alleged by defense counsel in Defendants’ sur-reply motion in opposition to the motion to remand, including her intent to reside permanently in Colorado, Dkt. 29, and providing any further evidence of Moss’s intent to remain in the state of Colorado post-graduation.

Dated: May 6, 2025  
New York, New York

SO ORDERED.

  
JENNIFER L. ROCHON  
United States District Judge